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In re Application of :
TABIRA, Takeshi et al. :
Application No.: 10/560,280 : DECISION ON
PCT No.: PCT/JP2004/008224 :
Int. Filing Date: 11 June 2004 : PETITION
Priority Date: 13 June 2003 :
Attorney Docket No.: 40072-0026US : UNDER 37 CFR 1.181
For: RECOMBINANT ADENO- :
ASSOCIATED VIRUS VECTOR FOR :
TREATMENT OF ALZHEIMER :
DISEASE :

This decision is in response to applicant's Petition Under 37 CFR 1.181 to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office on 17 June 2008.

BACKGROUND

On 12 December 2005, applicants filed a transmittal letter for entry into the national phase in the United States, accompanied by the basic national fee.

On 13 March 2006, the Office mailed Notification of Missing Requirements (PCT/DO/EO/905), indicating *inter alia* that a sequence listing in computer readable format was required.

On 26 April 2006, applicants supplied a sequence listing in computer readable format. The Office found the CRF to be technically flawed.

On 07 March 2007, the Office mailed Notification of Defective Response (Form PCT/DO/EO/916) indicating, *inter alia*, that a CRF was still required.

On 09 April 2007, applicants filed a second sequence listing in CRF.

On 20 May 2008, the Office mailed a Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to timely reply to the Notification mailed 13 March 2006.

On 17 June 2008, applicants filed this petition to withdraw the holding of abandonment.

DISCUSSION

The Notification of Abandonment mailed 20 May 2008, issued in error and is hereby vacated. The Office is in receipt of the CRF submitted on 09 April 2007 and the sequence listing has been entered.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment (Form PCT/DO/EO/905) mailed 20 May 2008 is **VACATED**.

This application is being forwarded to the National Stage Processing Branch of the Office of Patent Application Processing for further processing in accordance with this decision. The application has a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 09 April 2007.

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